

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 SAL OU,

8 Plaintiff,

Case No. C11-1637-MJP-BAT

9 v.

**REPORT AND
RECOMMENDATION**

10 MICHAEL J. ASTRUE, Commissioner of
11 Social Security,

12 Defendant.

13 Sal Ou brought an action seeking review of the denial of his application for disability
14 insurance. Dkt. 3. The parties have filed a stipulated motion that the case be remanded, pursuant
15 to sentence six of 42 U.S.C. § 405(g), for further administrative proceedings. The parties
16 stipulate (1) the case should be remanded because significant portions of the recording of the
17 hearing the ALJ conducted on July 20, 2010 are inaudible; (2) on remand, the Administrative
18 Law Judge shall conduct a de novo hearing; (3) if the final decision of the Commissioner on
19 remand is not fully favorable, plaintiff may seek judicial review by moving to reopen this case
20 rather than by filing a new complaint; and (4) this Court shall retain jurisdiction. Dkt. 10.

21 The Court has reviewed the motion and record, and recommends the case be **REVERSED**
22 and **REMANDED** for further administrative proceedings pursuant to the terms of the parties'
23 stipulated motion. As the parties stipulate to remand, the Court recommends if this

1 recommendation is adopted, that it be approved immediately. A proposed order accompanies this
2 Report and Recommendation.

3 DATED this 2nd day of December, 2011.

4
5 

6 BRIAN A. TSUCHIDA
7 United States Magistrate Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23